

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Case No. 2:23-CV-00379-JRG-RSP

**JURY TRIAL DEMANDED**

**JOINT STATUS REPORT ON PENDING ISSUES**

On June 23, 2025, the Court instructed the parties to “file a joint status report apprising the Court of what issues remain pending in the above-captioned case (other than the Motions for Summary Judgment and Motions to Strike).” Pursuant to these instructions, the parties provide this Joint Status Report on Pending Issues.

**Motions in Limine**

Headwater’s MILs 1-3 and 5 are substantively identical to its same-numbered MILs in *Headwater v. Verizon* (No. 2:23-cv-00352-JRG-RSP) (“the Verizon Case”), such that no additional argument is necessary on them. The parties completed argument on Headwater’s MIL 4 at the June 5, 2025 Pretrial Conference (“PTC2”). *See* PTC2 Tr. at 209:13-222:17.

T-Mobile’s MILs 1, 2, 5, and 6 are substantively identical to Verizon’s same-numbered MILs in the Verizon Case, such that no additional argument is necessary on them. The Court has not yet heard full argument from both parties on T-Mobile’s MILs 3 and 4, as the Court noted that we would take up these motions at another time. *Id.* at 233:10–13.

**Exhibit Disputes**

The Court heard argument on but has not ruled on Headwater’s Bucket 8 (Verizon

Investments) involving T-Mobile's DX-126, 127, and 128. *See* PTC2 Tr. at 209:13-222:17.

The Court has not heard argument on T-Mobile's Bucket 12 (Carrier Network Documents) involving Headwater's PX-83. The Court also has not heard argument on T-Mobile's Bucket 13 (ItsOn) involving Headwater's PX-28, 42, 45, 46, 92, and 362.

Headwater is preparing redacted versions of PX-29, 75, and 89, in accordance with the Court's rulings at PTC2.

### **Witness Lists and First-Day Deposition Designations**

Headwater maintains a general objection, as it raised in the Verizon case, that T-Mobile's current witness list is excessive, includes irrelevant witnesses, and fails to disclose which witnesses T-Mobile will present live at trial, which prejudices Headwater's trial preparation. But because T-Mobile has indicated it will soon provide some narrowing of its witness list and because the T-Mobile case is still scheduled for trial behind the Verizon case, Headwater is hopeful that these issues can be obviated or at least narrowed without Court intervention.

T-Mobile maintains a general objection, as it raised in the Verizon case, that Headwater's current witness list identifies individuals who will not present any relevant testimony, including Jeffrey Green and Ryan McGinn. For example, Jeffrey Green is an inventor on patents that were previously dismissed from the case. But as Headwater stated above, T-Mobile is hopeful that these issues can be obviated or at least narrowed without Court intervention.

As to potential first-day deposition designations, most of Headwater's first-day designations have already been resolved in the Verizon case, including designations for Jeff Sharkey (trial and deposition designations), Mike Schiksnis, Kartik Venkatraman, Amith Yamasani, and David Chan. Headwater has two remaining potential first-day depositions, Ryan Sullivan and Mark Yarkosky, whose designations have not yet been argued.

Dated: June 27, 2025

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 27th day of June 2025, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Marc Fenster  
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